

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TIMOTHY KERRIGAN, *et al.*,

Plaintiffs,

Case No. 14-cv-12693  
Hon. Matthew F. Leitman

v.

VISALUS, INC., *et al.*,

Defendants.

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**ORDER DENYING WITHOUT PREJUDICE PLAINTIFFS' MOTION TO  
EXCLUDE E. ALLEN JACOBS' EXPERT REPORT (ECF #125)**

On February 24, 2017, Plaintiffs filed a motion to exclude the report of Defendants' expert witness E. Allen Jacobs. (*See* ECF #125.) Since Plaintiffs filed that motion, there have been substantial procedural developments in this action that will require Plaintiffs to update and re-file their motion, if necessary. Accordingly, as discussed with counsel, the Court hereby **DENIES** Plaintiffs' motion **WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

Dated: September 27, 2018

/s/Matthew F. Leitman  
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MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on September 27, 2018, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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